

DUMONT JOINT LAND USE BOARD **MINUTES FOR SEPTEMBER 27, 2011 MEETING**

Flag Salute

SESSION: This is a meeting of the Joint Land Use Board, of the Borough of Dumont, held in the Council Chambers.

September 27, 2011
7:30 PM

SUNSHINE LAW: This meeting is a regularly scheduled meeting of the Joint Land Use Board, of The Borough of Dumont, held in the Council Chambers on September 27, 2011. The date, time, and location were established by the resolution of the Board. A copy of the resolution was forwarded to ***The Record*** and the ***Ridgewood News***, the official newspapers of the Borough of Dumont, filed with the Borough Clerk and posted in the Borough Hall of the Borough of Dumont. All notice requirements of the Open Public Meetings Act of the State of New Jersey have been fulfilled.

ROLL CALL:

Thomas Trank	P	Marian Reitano	P	Kenneth Freeman	P
Elizabeth Marchese	A	Ken Melamed	P	Robert Huth	P
Eric Abrahamsen	P	William Goodman	A	Irwin Buchheister Alt # 1	P
Elmer Pacia Alt # 3	P	Chairman Timothy Hickey	P		

Others: Board Attorney – Kaufman, Bern, Deutsch & Leibman: Justin Santigata-P
Board Engineer – Birdsall Engineering: James Giurintano-P
Board Planner – Neglia Engineering: William Stimmel-P
Board Clerk - Rosalia Bob-P

BUSINESS: Review and Approval of Business Professional Invoices

Chairman Timothy Hickey states that he will sign off on these items at the end of the meeting.

BUSINESS: Approval of March 2011 Minutes Open / Closed Session, April 2011
May 2011, June 2011, July 2011 and August 2011 Minutes

Chairman Timothy Hickey tables this item till the following month's meeting October 25, 2011.

BUSINESS: Discussion on Lawsuit - 15 Wakelee Drive Corporation vs.
Joint Land Use Board of the Borough of Dumont

Chairman Timothy Hickey tables this item till the following month's meeting October 25, 2011

FORMAL: 11-01 Gary & Denise Winkel 91 Randolph Avenue
Block- 516, Lot- 5
Garage Replacement as part of Borough's Flood Control Work

The borough attorney, Greg Pastor explains that the application is before the board because the garage replacement is part of the borough's flood control project. Greg Pastor calls his witness who is the architect for the garage replacement project and who additionally had done the plans for the flood control project, Virginia Seminara. She begins by explaining that she has done work for the borough's engineer, T&M Associates, and had been asked by Dominic Carrino to draw up the plans. She submits into evidence as A1 the Garage Replacement Plans and states that the existing garage is close to the property lines and close to the brook so the DEP will not allow for an exact direct replacement. Virginia Seminara explains that the garage is already nonconforming and where the garage is being replaced will enlarge the rear yard setback and the garage is a smaller footprint. She states that this project is a continuation of existing and less intensive use and gets garage off of a drainage ditch. Thomas Trank asks why are they replacing a garage for a garage and if a shed would have been better. Greg Pastor states that it was only fair to the homeowner that since we are taking down the garage to then replace it with a garage. He states that the homeowner of the property has made no significant changes since the original survey.

Chairman Timothy Hickey opens and closes the hearing to the public.

Chairman Timothy Hickey calls for a motion from the board.

Motion to Approve: Eric Abrahamsen
2nd by: Robert Huth

ROLL CALL:

Thomas Trank	Y	Marian Reitano	Y	Kenneth Freeman	Y
Elizabeth Marchese	NA	Ken Melamed	Y	Robert Huth	Y
Eric Abrahamsen	Y	William Goodman	NA	Irwin Buchheister Alt # 1	Y
Elmer Pacia Alt # 3	Y	Chairman Timothy Hickey	Y		

Motion Approved: 9 – 0

FORMAL: 11-03 Dusan Lubelec 98 East Linden Avenue
Block- 516, Lot- 14
Garage Replacement as part of Borough's Flood Control Work

The borough attorney, Greg Pastor explains that the application is before the board because the garage replacement is part of the borough's flood control project. Greg Pastor calls his witness who is the architect for the garage replacement project and who additionally had done the plans for the flood control project, Virginia Seminara. She submits into evidence as A1 the Garage Replacement Plans and states that the existing garage is within 3 feet of the brook. She explains that the homeowner would like to utilize and park a vehicle inside the garage. She details that the garage was caddy cornered and moved closer to the house. She states that the side yard setback was exasperated but the rear yard setback was alleviated and the garage will be a continuation of nonconformity. The board engineer, Jamie Giurintano raises a concern regarding the two eves between this garage and the neighbors garage. Virginia Seminara states that they have no concerns between the two structures having problems. She explains that the distant between is sufficient and only is in the front corner since the garage is caddy cornered. She states they are replacing like for like and the same size which is existing.

Chairman Timothy Hickey opens and closes the hearing to the public.

Chairman Timothy Hickey calls for a motion from the board.

Motion to Approve: Robert Huth
2nd by: Eric Abrahamsen

ROLL CALL:

Thomas Trank	Y	Marian Reitano	Y	Kenneth Freeman	Y
Elizabeth Marchese	NA	Ken Melamed	Y	Robert Huth	Y
Eric Abrahamsen	Y	William Goodman	NA	Irwin Buchheister Alt # 1	Y
Elmer Pacia Alt # 3	Y	Chairman Timothy Hickey	Y		

Motion Approved: 9 – 0

FORMAL: 11-04 Dumont Terrace Apartments Inc Sunnyside, Shadyside, Dulles, etc
Block- 1221, Lot- 14
Parking Project

The attorney for the application, Frank Carlet begins by presenting the affidavit of publication to the board. He explains that the multifamily dwelling complex is looking to add off-street parking. He states that when the complex was originally built people did not have extra cars. He details that the municipality prohibits on street parking during the months of October threw April so the complex will be adding additional parking on site. Before the hearing further continues, Mr. Carlet, the applicant and the board members begin a brief discussion on the payment of application fees and escrow fees, questions arose if they should be waived since municipality is forcing this parking project. It is decided that all fees will be paid by applicant and not waived.

Frank Carlet calls his first witness, Hal Simoff who is the engineer for the project. Hal Simoff presents into evidence A1 areal photos and reduced copies. He explains that there are 264 apartment units, mixed 1 and 2 bedrooms and the sis index shows that the parking should be approximately 2 parking per unit, they are proposing after the completion of the project 385 parking spaces. He states they are looking to add pocket parking lots and off street diagonal parking spaces. Hal Simoff states that this project is due to the Borough Ordinance regarding overnight parking is changing and will completely eliminate all overnight street parking through out the entire Borough. Irwin Buchheister asked if the applicant explored other options. Thomas Trank states that he has a problem with revoking the parking in that area but it's the Mayor and Council's decision. Ken Freeman states that he is not aware of any ordinance change. Steve Cavadias states that years ago there was no parking in that area, then it changed to one side parking and then it changed to two side parking. He further explains that that area has severe problems with the streets being parked up during the fall and winter months for leaves and snow removal. The police need to go door to door to have vehicles moved and they are forcing the issue to have the parking situation in that area to be changed. He states that this was presented to the Mayor and Council for the ordinance change. The board engineer, James Giurintano asked if they had looked at the parking paperwork and stated that they are 106 parking spaces short of the sis standards. Hal Simoff states that they are still doing the calculations for impervious coverage, setbacks for the parking lots and calculate the variances. Robert Huth asked how many trees will be removed and will you lose some of the areas there. Hal Simoff stated that they believe that no street trees will be removed but there will be significant tree removals from the paved areas, approximately 12 trees will be removed. He states that they will lose some area to widen for more parking. He explains that there are 52 existing garages in the complex and the landlord has made efforts that the garages will be used strictly for a car only and not storage. He states that they are proposing some handicap spots, some lighting shoebox light fixtures with minimal spill in the new lots but they are requesting to leave the existing lots as is. Thomas Trank asked if the tenants would have to pay for this. Hal Simoff states that the tenants only pay for the garages but they will not pay for the parking. He states that they will also proposing drainage system of underground chambers that will hold the capacity of 25 year storm and if the capacity is greater it will flow out to the street. The underground chambers will have a 100% reduction on small storms, it will hold more but in a greater storm it will hold less. He explains that the total area to be paved will be a half an acre. Hal Simoff states that they are asking for a waiver from the 100 year storm. The board engineer, James Giurintano asked if they will be storing the entire 25 year contributory. Hal Simoff states yes that it will hold that capacity. Thomas Trank asks questions regarding the drainage abutting Bergenfield and if there will be any problems. Elmer Pacia states concerns from the increased storms and this causing problems for other towns. Hal Simoff states that they will be adding catch basins with filters in them and the system will remove grit and silt from the water before it goes into the chambers. He explains that the catch basins will have to be maintained by the property owner. Irwin Buchheister asked if there will be additional personnel added to maintenance. Hal Simoff states that no it will be maintained by current personnel.

Chairman Timothy Hickey opens the hearing to the public. Several residents: Ace Bedio 139 New Jersey Ave Bergenfield; Eli Alxter 58 New Jersey Ave Bergenfield; Adrea Akivis 58 New Jersey Ave Bergenfield; Peter Pavlides 61 Shadyside Ave. All ask questions such as: will the drainage of water enter other properties; will the pitch change the water flow; how will this all be maintained; will 25 year capacity be safe; what would it take to bring whole complex up to code; when is this work proposing to start. Hal Simoff states that the drainage should be sufficient and the pitch for the water flow will be towards the street; the water will flow into underground drainage chambers and they will collect 75-80% of all storm water and the other 25% will be overload; the complex is an existing legal non-conforming complex and they would not have to do anything to the current site and only the new is required for improvements; the applicant is looking to start in the spring and should only take approximately 6 months to complete with very little of the existing area being disturbed. Chairman Timothy Hickey closes the hearing to the public.

The board attorney, Marc Leibman will carry the hearing to the following month October 25, 2011.

Motion to Adjourn: Robert Huth
2nd by: Chairman Timothy Hickey

Minutes respectfully submitted by:
Rosalia Bob
Joint Land Use Board Clerk